

URBAN CENTER DISTRICTS HEARING APPLICATION,

WITH INSTRUCTIONS AND CHECKLIST

FILING

Applications for public hearings must be filed in person with the Development Services Division of the Miami-Dade County Department of Regulatory and Economic Resources, located on the 11th floor of the Stephen P. Clark Center, 111 N.W. First Street. Applications may only be filed during the twice-monthly 3-day filing periods. The 1st filing period begins on the 1st Monday of the month, with the 2nd filing period beginning on the 3rd Monday. Filing periods run for 3 consecutive days ending on Wednesday. Information on what constitutes a complete application, as well as required forms, are available in the Development Services Division.

APPOINTMENTS

Applicants are encouraged to meet with staff prior to filing to obtain information on the hearing process and filing requirements, to go over completed applications and forms, and to review plans. It is important to ensure applications are complete and in order at the time of filing. Call (305) 375-2842 during normal working hours to schedule appointments to file applications or arrange for a pre-filing review.

BEFORE THE HEARING

Approximately 3 weeks prior to the hearing, the applicant's contact person will be mailed a letter notifying them of the hearing date, place and time. Translators and sign language interpreters are available upon request. Call the Development Services Division at (305) 375-2842 at least 10 days in advance to arrange for this service at the meeting. Please note that anyone wishing to submit expert testimony, economic studies, real estate appraisals, reports by consultants, etc., as evidence to be considered at the hearing, must file said documents with the Director at least 10 days prior to the hearing.

AFTER THE HEARING

A Resolution of the outcome of the hearing will be prepared by staff and will be mailed to the applicant. The Resolution will list the requests and the decision on each and will specify any changes imposed by the Board.

QUESTIONS

Applicants with questions related to filing an application, or the public hearing process, should call the Development Services Division at (305) 375-2642.

General information on requirements, prior zoning hearing history, Declaration of Restrictions, Unities of Title and related zoning criteria is available at the Zoning Information Section, 11th Floor, Stephen P. Clark Center, 111 NW 1 Street or by calling (305) 375-1806 or 1807.

ATTENTION: PLEASE BE ADVISED – IF YOU ARE BEING REPRESENTED BY A LOBBYIST, THE LOBBYIST MUST BE REGISTERED WITH THE CLERK OF THE BOARD.

APPLICANT'S CHECKLIST

The following items must be submitted with any hearing application:

- ☐ Letter of Intent, listing what is being requested, why, and reasons why applicant feels the request should be approved, detailing variances, zoning requests, explaining zoning hardship, etc. (Applicant will receive details during the pre-filing appointment with the Zoning Hearing Specialist).
- ☐ Application completely filled out and properly executed. (Folio numbers are mandatory).
- ☐ Ownership affidavit(s).
- ☐ Disclosure of Interest, if the owner, applicant or contract purchaser is a corporation, partnership, trustee.
- ☐ Copy of executed lease for one year or more, if applicant is a lessee.
- ☐ Owner's Sworn-to-Consent form signed by the owner-of-record of the property, giving lessee permission to file for the hearing if applicant is a lessee.
- ☐ Exhibits: proposed regulating plans and text changes.
- ☐ Legal description [must be accurate; and if lengthy, to be submitted in Microsoft Word format via e-mail and on compact disc (CD), in addition to printed (hard) copy.
- ☐ Hearing fees and – the fees paid at time of filing may not be the total cost of the hearing. Additional radius fees for mailing notices to property owners within a certain radius of the subject property may be assessed, depending on the type of hearing request. The number of actual property owners is determined by computer and you will receive a bill for the additional radius fees approximately one month after filing. Fee schedule and instructions are attached. Hearing fees will be calculated by the Zoning Hearing Specialist at the pre-filing appointment.
- ☐ Translators and sign language interpreters are available upon request. Call Agenda Coordinator's Office at (305) 375-1244 at least 10 days in advance to arrange for this service at the meeting

Some requests require additional information. Call (305) 375-2842 for a pre-filing appointment for information on required exhibits and review of documents and plans.

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Sec. Twp. Range

**URBAN CENTER DISTRICTS HEARING APPLICATION
MIAMI-DADE COUNTY
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES**

LIST ALL FOLIO #s: _____

Date Received _____

1. NAME OF APPLICANT (Owner(s) of record of the property or lessee. If applicant is a lessee, an executed 'Owner's Sworn-to-Consent' and copy of a valid lease for 1 year or more is required. If the applicant is a corporation, trust, partnership, or like entity, a 'Disclosure of Interest' is required).

2. APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER, E-MAIL:

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone# _____ Fax# _____ E-mail: _____

3. OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:

Owner's Name (Provide name of ALL owners): _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

4. CONTACT PERSON'S INFORMATION:

Name: _____ Company: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone# _____ Fax# _____ E-mail: _____

5. LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION

(Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, or metes and bounds. Include section, township, and range. If the application contains multiple rezoning requests, a legal description for each requested zone must be provided. Attach separate sheets as needed and clearly label (identify) each legal description attached. In addition to paper version it is requested that lengthy metes and bounds descriptions be provided on diskette or compact disc in Microsoft Word or compatible software.)

6. ADDRESS OR LOCATION OF PROPERTY (For location, use description such as NE corner of, etc.)

7. **SIZE OF PROPERTY** _____ ft x _____ ft (in acres): _____
(divide total sq. ft. by 43,560 to obtain acreage)

8. **DATE** property ☐ acquired ☐ leased: _____ (month & year)

9. **Lease term:** _____ years

10. **IS CONTIGUOUS PROPERTY OWNED BY THE SUBJECT PROPERTY OWNER(S)?**

no ☐ yes ☐ If yes, provide complete legal description of said contiguous property.

11. **Is there an option to purchase** ☐ **or lease** ☐ the subject property or property contiguous thereto?

no ☐ yes ☐ (If yes, identify potential purchaser or lessee and complete 'Disclosure of Interest' form)

12. **PRESENT ZONING CLASSIFICATION:** _____

13. **APPLICATION REQUESTS** (Check all that apply and describe nature of the request in space provided)

☐ Urban Center District Regulating Plan Changes: _____

☐ Text Changes: _____

14. **Do you require a translator for the actual hearing?** Yes ☐ No ☐

If yes: Spanish ☐ Haitian Creole ☐ Other ☐ (Please specify which language)

APPLICANT'S AFFIDAVIT

The Undersigned, first being duly sworn depose that all answers to the questions in this application, and all supplementary documents made a part of the application are honest and true to the best of (my)(our) knowledge and belief. (I)(We) understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

OWNER OR TENANT AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am)(we are) the ☐ owner ☐ tenant of the property described and which is the subject matter of the proposed hearing.

Signature

Sworn to and subscribed to before me
this ____ day of _____, ____.

Notary Public:
Commission Expires: _____

CORPORATION AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am)(we are) the ☐ President ☐ Vice-President ☐ Secretary ☐ Asst. Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing; and that said corporation is the ☐ owner ☐ tenant of the property described herein and which is the subject matter of the proposed hearing.

Attest: _____

Authorized Signature

Office Held

(Corp. Seal)

Sworn to and subscribed to before me
this ____ day of _____, ____.

Notary Public:
Commission Expires: _____

PARTNERSHIP AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am)(we are) partners of the aforesaid partnership, and as such, have been authorized to file this application for a public hearing; and that said partnership is the ☐ owner ☐ tenant of the property described herein which is the subject matter of the proposed hearing.

(Name of Partnership)

By _____ %

By _____ %

By _____ %

By _____ %

Sworn to and subscribed to before me
this ____ day of _____, ____.

Notary Public:
Commission Expires: _____

ATTORNEY AFFIDAVIT

I, _____, being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am the Attorney for the Owner of the property described and which is the subject matter of the proposed hearing.

Signature

Sworn to and subscribed to before me
this ____ day of _____, ____.

Notary Public:
Commission Expires: _____

ACKNOWLEDGEMENT BY APPLICANT

1. Public Works Waste Management (PWWM), Environmental Resources Management (ERM), and other County agencies review and critique zoning hearing applications which may affect the scheduling and outcome of my hearing. These reviews may require additional hearings before ERM's Environmental Quality Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any ERM or PWWM conditions and advise this office in writing if my application will be withdrawn.
2. Filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property and I am responsible for paying the additional radius mailing costs. In addition to mailing costs, I am responsible for additional fees related to application changes, plan revisions, deferrals, re-advertising, etc., that may be incurred. I understand that fees must be paid promptly. Applications withdrawn within 60 days of the filing are eligible for a refund of 50% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. Refunds must be requested in writing.
3. Applicable Florida Building Code requirements may affect my ability to obtain a building permit even if my zoning application is approved; and a building permit will probably be required. I am responsible for obtaining any required permits and inspections for all structures and additions proposed, or built without permits. And that a Certificate of Use (C.U.) must be obtained for the use of the property after it has been approved at Zoning Hearing. Failure to obtain the required permits and/or C.U., Certificates of Completion (C.C.) or Certificate of Occupancy (C.O.) will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing application may not forestall enforcement action against the property.
4. The 3rd District Court of Appeal has ruled that zoning applications inconsistent with the Comprehensive Development Master Plan (CDMP) should not be approved by a zoning board and the recommendation will be for denial or deferral. Therefore, I acknowledge that if the hearing request is inconsistent with the CDMP and I decide to go forward then my hearing request can only be denied or deferred, but not approved. I also understand that I will not be reimbursed any fees paid unless I withdraw within 60 days of filing and then I will receive a 50% refund.
5. Any covenant to be proffered must be submitted to the Department on County forms, at least 1 month prior to the hearing date. The covenant will be reviewed and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. Legal Advisor can advise as to additional requirements applicable to foreign corporations. Documents submitted to the Department must carry a cover letter indicating subject matter, application number and hearing date.

(Applicant's Signature)

(Print Name of Applicant)

Sworn to and subscribed before me on the

_____ Day of _____, _____.

Affiant is personally known to me or has produced
_____ as identification.

(Notary Public's Signature)

My commission expires _____

State of: _____

Print Name _____

EXHIBITS

**OWNERSHIP AFFIDAVIT
FOR
CORPORATION**

STATE OF _____ **Public Hearing No.** _____
COUNTY OF _____

Before me, the undersigned authority, personally appeared _____
_____ hereinafter the Affiant(s), who being first duly
sworn by me, on oath, deposes and says:

1. Affiant is the president, vice-president or CEO of the Corporation hereinafter named
_____, with the following address:

2. The Corporation owns the property which is the subject of the proposed hearing.
3. The subject property is legally described as:

4. Affiant is legally authorized to file this application for public hearing.
5. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of
voiding of any zoning granted at public hearing.

Witnesses:

Signature

Affiant's signature

Print Name

Print Affiant's name

Signature

Print Name

Sworn to and subscribed before me on the ____ day of _____ 20 ____.

Affiant is personally known to me or has produced _____ as identification

Notary _____

(Stamp/Seal)

Commission Expires: _____

**OWNERSHIP AFFIDAVIT
FOR
INDIVIDUAL**

STATE OF _____ **Public Hearing No.** _____

COUNTY OF _____

Before me, the undersigned authority, personally appeared _____, hereinafter the Affiant, who being first duly sworn by me, on oath, deposes and says:

1. Affiant is the fee owner of the property that is the subject of the proposed hearing.
2. The subject property is legally described as:

3. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

Witnesses:

Signature

Affiant's signature

Print Name

Print Affiant's name

Signature

Print Name

Sworn to and subscribed before me on the _____ day of _____, 20____

Affiant is personally known to me or has produced _____ as identification.

Notary _____

(Stamp/Seal)

Commission Expires: _____

DISCLOSURE OF INTEREST*

If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
_____	_____
_____	_____
_____	_____
_____	_____

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature _____
(Applicant) (Print Applicant name)

Sworn to and subscribed before me this _____ day of _____, 20_____. Affiant is personally know to me or has produced _____ as identification.

(Notary Public)

My commission expires: _____

Seal

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

FEE SCHEDULE

Make checks payable to: Department of Regulatory and Economic Resources.

Z100	Basic fee:	1,100.81	_____
Z981	Size of Property Mixed Use/Commercial (880.65 per 10 acres or portion thereof)		_____
Z134	Regulating Plan or Text Change:	4,403.25	_____
Z116	Revisions: (first revision no charge) thereafter, each revision	880.65	_____
Z117	Submitted 30 days or less prior to hearing	1,174.20	_____
Z999	Additional Radius Fees (to be determined)		
Z060	Web Document Fee	77.25	_____
		Subtotal	_____
*Surcharge	8%	Subtotal	_____
		TOTAL \$	_____

***NOTE: AN 8% SURCHARGE WILL BE ADDED TO ALL FEES EXCEPT DERM AND CONCURRENCY.**

Additional radius fees will be determined and billed separately for those hearings requiring notices to be mailed beyond a 500' radius.

All application fees shall be paid in total at the time of filing of the application, and no total fee shall be credited or refunded, except when adjustment is warranted or deemed necessary due to departmental error. A refund of fifty percent (50%) of an original application fee may be refunded upon the withdrawal of an application when the written request for withdrawal is received within 60 days of the date of application